

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

KEVIN CHAMBERS,

Plaintiff,

vs.

ST. LOUIS COUNTY, ET. AL.,

Defendants.

)
)
)
)
)
)
)
)
)
)

Case No. 4:05CV1469SNLJ

ORDER

In accordance with the memorandum filed herein this date,

IT IS HEREBY ORDERED that defendant Pennycok's motion for summary judgment (#83) be and is **GRANTED** in so far that plaintiff's Fourth Amendment excessive force claim is **DISMISSED WITH PREJUDICE**. The Court declines to exercise supplemental jurisdiction over plaintiff's remaining state-law tort claims for assault and battery and **DISMISSES WITHOUT PREJUDICE** these state-law tort claims.

IT IS FINALLY ORDERED that plaintiff's claims against defendant Pennycok are hereby removed from the trial docket of May 20, 2009.

Dated this 11th day of May, 2009.



UNITED STATES DISTRICT JUDGE